

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MIAMI UNIVERSITY,	:	Case No. 1:02-cv-00424
	:	
Plaintiff,	:	Judge Susan J. Dlott
	:	
vs.	:	
	:	
DUBOIS BOOK STORE, INC.,	:	JOINT MOTION FOR LEAVE TO FILE
	:	PLAINTIFF MIAMI UNIVERSITY’S
	:	MOTION FOR RELIEF FROM
Defendant.	:	JUDGMENT UNDER SEAL

Plaintiff Miami University (“Miami”) and Defendant DuBois Bookstore, Inc. (“DuBois”) jointly move the Court to allow the filing of Miami’s Motion for Relief From Judgment under seal (“Motion for Relief”). In this regard, Miami has informed DuBois that it intends to move under Fed. R. Civ. P. 60(b)(6) to vacate this Court’s February 18, 2003 Dismissal Order (Doc. #14). Miami’s reasons in support of the Motion for Relief will be fully set forth in its motion. DuBois intends to vigorously oppose the Motion for Relief on the merits. However, DuBois believes that both the supporting and opposing memoranda may disclose information which it contends the parties agreed by a previous settlement to keep confidential. Accordingly, DuBois has requested that the Motion for Relief be filed under seal, and Miami has no objection. For all of these reasons, the parties jointly request the Court to allow the 60(b)(6) Motion, any opposing memoranda, and any reply memoranda, including exhibits, to be filed under seal.

Respectfully submitted,

/s/ Michael P. Moloney

James A. Dyer (Trial Attorney) (0006824)

Michael P. Moloney (0014668)

Sebaly, Shillito + Dyer

A Legal Professional Association

1900 Kettering Tower

Dayton, OH 45423

937/222-2500

937/222-6554 (fax)

jdye@ssdlaw.com

*Special Counsel for Plaintiff The State of
Ohio, by and through Miami University*

/s/ Patricia B. Hogan by /s/ Michael P.

Moloney per e-mailed authorization 1-07-05

Patricia B. Hogan, Esq. (0042172)

Keating, Muething & Klekamp, PLL

One East Fourth Street, Ste. 1400

Cincinnati OH 45202

513/579-6400

513/579-6457

phogan@kmklaw.com

*Attorney for Defendant DuBois Bookstore,
Inc.*